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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

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6 MARIO TREJO,

7 Plaintiff,

8 v.

9 CCDC, ET AL.,

10 Defendants.

Case No. 2:19-cv-00342-APG-DJA

11 **ORDER**

12 This matter is before the Court on *pro se* prisoner Plaintiff's Motion for Second Attempt
13 of Service re Summons Returned Unexecuted ECF No. 24 (ECF No. 25), filed on July 15, 2020.

14 Plaintiff is a *pro se* prisoner in the custody of the Clark County Detention Center. He was
15 permitted to proceed *in forma pauperis* on July 22, 2019. (ECF No. 11). At that time, his
16 Complaint was screened by the District Judge assigned to this case pursuant to 28 U.S.C. §
17 1915A(a) and he was permitted to proceed on: a 14th Amendment inadequate medical care claim
18 against Defendants Nurse Jennifer, Nurse Nancy, and Doe medical staff (when Plaintiff learns
19 their identities). (*Id.*). On February 3, 2020, the Court granted in part and denied in part
20 Plaintiff's Motion to Substitute and permitted Nancy Goodman to be substituted. (ECF No. 19).

21 Then, on February 7, 2020, Plaintiff was notified that no proper proof of service had been
22 filed as to Defendants Dr. Weiner, Nurse Jennifer, and Nancy Goodman and the dismissal
23 deadline as to those Defendants was set for March 8, 2020. (ECF No. 20). As a result, Plaintiff
24 requested an extension of time to serve. (ECF No. 21). The Court granted his request and
25 summons was issued as to Nancy Goodman. (ECF Nos. 22-23). The Summons was returned
26 unexecuted as to Nancy Goodman on July 1, 2020. (ECF No. 24).

27 Now, Plaintiff seeks another attempt of service for Nancy Goodman at the same address,
28 CCDC, because he alleges that she was on vacation during the first attempt. The Court will

1 permit a second attempt of service by the United States Marshal's Service. *See* Fed. R. Civ. P.
2 4(c)(3) (providing that the court must order service by a United States marshal if the plaintiff is
3 authorized to proceed *in forma pauperis* under 28 U.S.C. § 1915).

4 **ORDER**

5 IT IS THEREFORE ORDERED that Plaintiff's Motion for Second Attempt of Service re
6 Summons Returned Unexecuted ECF No. 24 (ECF No. 25) is **granted**.

7 IT IS FURTHER ORDERED the clerk of the court must re-issue the summons for Nancy
8 Goodman and deliver the summons, the USM-285 form, a copy of the complaint, and a copy of
9 this order to the U.S. Marshal for service.

10 DATED: July 21, 2020.



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12 DANIEL J. ALBREGTS
13 UNITED STATES MAGISTRATE JUDGE
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